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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**IN RE:** § **CASE NO. 21-31954-HDH-11**  
**2999TC ACQUISITIONS, LLC,** § **CHAPTER 11**  
**DEBTOR.** §

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**MOTION FOR EXPEDITED HEARING AND SETTING ON HNGH TURTLE  
CREEK, LLC'S MOTION TO ENFORCE AGREED ORDERS**

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HNGH Turtle Creek, LLC ("HNGH") files this *Motion for Expedited Hearing* (the "**Motion to Expedite**") on its *Motion to Enforce Agreed Orders* (the "**Motion**") [Docket No. 134], and would respectfully show the Court as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this Motion to Expedite pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue of this case and this proceeding is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

**MOTION TO EXPEDITE**

2. As more fully detailed in the Motion filed concurrently with this pleading, the Debtor Defaulted under the Agreed Orders<sup>1</sup> [Dkt. Nos. 64, 94] by failing to satisfy the Payoff

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<sup>1</sup> Capitalized terms not defined herein have the meaning ascribed to them in HNGH's Motion.

Amount by the Payoff Deadline. Given the Debtor's pattern of behavior and litigation posturing, it appears clear to HNGH that the Debtor intends to try to preclude HNGH from enjoying its ownership of the Property. Accordingly, HNGH seeks a hearing on the Motion on an emergency basis to ensure it obtains benefits to which it is entitled under orders previously entered by the Court in this bankruptcy case.

3. An expedited hearing is unlikely to prejudice the Debtor, Tim Bart, or any other parties in interest in any way. To the contrary, a hearing on the Motion will provide certainty regarding the parties' respective legal rights and ensure accountability. By this Motion to Expedite, HNGH requests a hearing on its Motion during the week of June 6, 2022. After consulting with Debtor's counsel, HNGH anticipates that a hearing on the Motion will take between 2 and 3 hours.

4. Hearing this matter on an expedited basis will help ensure the timely resolution of claims against the Property and will ensure appropriate enforcement of this Court's prior orders.

**WHEREFORE**, HNGH respectfully requests that the Court enter the proposed order attached as Exhibit 1, (a) setting the Motion for hearing during the week of June 6, 2022, and (b) granting HNGH such other and further relief to which they may be justly entitled.

DATED: June 3, 2022

Respectfully submitted,

**KANE RUSSELL COLEMAN LOGAN PC**

By: /s/ John J. Kane  
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**CERTIFICATE OF CONFERENCE**

I hereby certify that on June 3, 2022, I contacted Debtor's counsel, Joyce Lindauer at approximately 11:40 to determine whether the Debtor opposed the relief requested. The Debtor does not oppose this Court setting a hearing on the Motion during the week of June 6, 2022, so long as the setting is at a time at which Ms. Lindauer may reasonably attend the hearing. The Debtor opposes to relief requested in the underlying Motion. Ms. Lindauer and I will notify the Court of times and dates during the week of June 6, 2022 at which HNGH and the Debtor are available for hearing.

/s/ John J. Kane  
John J. Kane

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 3, 2022, a true and correct copy of the foregoing document was filed with the Court and served (i) via the Court's electronic case filing system (ECF) upon all parties receiving such electronic service in this proceeding, and (ii) via e-mail on the parties listed below.

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/s/ John J. Kane  
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